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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter Of)
)
Amendment of Part 87 to Permit the)
Use of 112-118 MHz for Differential Global)
Positioning System (GPS) Correction Data)
and the Use of Hand-Held Transmitters)
on Frequencies in the Aeronautical)
Enroute Service)
)
and)
)
Amendment of Part 17 Concerning)
Construction, Marking, and Lighting of)
Antenna Structures)

WT Docket No. 96-211
RM-8607, 8687

COMMENTS OF AERONAUTICAL RADIO, INC.

Aeronautical Radio, Inc. (ARINC), hereby submits its Comments on the use of hand-held transmitters in the aeronautical enroute service in response to the Commission's Notice of Proposed Rule Making ("NPRM"), released November 21, 1996 (FCC 96-407), 61 Fed. Reg. 60673.

In its NPRM, the Commission makes three separate proposals. First, it proposes rules to provide for the transmission of GPS correction data in the band 112-118 MHz. Second, it proposes to incorporate the revised antenna marking requirements of Federal Aviation Administration Advisory Circulars, AC 70/7460-1J (January 1, 1996) and AC 150/5345-43E (October 19, 1995), into Part 17 of the Rules, but not to require existing systems to meet the new requirements unless the FAA so requests. Finally, the NPRM

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proposes to allow the use of hand-held radios for direct communications between ground service personnel and aircraft flight crews on frequencies allocated to the aeronautical enroute service. ARINC generally supports the Commission's proposals, but suggests some minor changes in the use of non-aircraft mobiles in the aeronautical enroute service. These comments only address the use of non-aircraft mobiles in the aeronautical enroute service and do not address further the GPS and Part 17 issues.

ARINC is the communications company of the air transport industry. ARINC was formed by members of the civil aviation community in 1929 at the urging of the Federal Radio Commission. For more than 65 years, ARINC has provided advanced communications systems to that industry to promote the safe, economic and efficient operation of aviation throughout the United States and in many areas in the rest of the world. ARINC also provides the secretariat functions for a number of aviation industry committees, including the Aeronautical Frequency Committee ("AFC"). The AFC consists of representatives from the major United States airlines and from other members of the aviation community.¹ The AFC identified the operational need for non-aircraft mobiles to communicate on the aeronautical enroute service, which lead ARINC to submit its *Petition for Rule Making* on behalf of the industry.

¹ The AFC currently has members from the Aircraft Owners and Pilots Association (AOPA), the Helicopter Association International (HAI), National Business Aircraft Association (NBAA), American, America West, Continental, Delta, Federal Express, Northwest, Trans World, United, United Parcel, and USAir. The Air Transport Association of America, the International Air Transport Association, and the Federal Aviation Administration are non-voting associate members.

In that *Petition for Rule Making*, ARINC requested limited authorization for land mobile units to operate in conjunction with licensed aeronautical enroute stations. While hand-held portable units were mentioned within the explanatory text, this was done only to exemplify certain unique applications for which mobile units are required. There are other applications which require that the mobile unit be permanently mounted in a vehicle, such as aircraft tugs and de-icing “cherry-pickers”. The requested rule to permit “mobile” units was crafted to be inclusive of both portable and vehicular-mounted units. ARINC therefore requests that the Commission’s proposed rule section 87.261(e) be changed by replacement of “hand-held” with “non-aircraft mobile” in both occurrences as noted below.

Section 87.261 Scope Of Service

(e) Non-aircraft mobile units may be operated under an aeronautical enroute station authorization so long as the units are limited to use at an airport and are only used to communicate with aircraft on the ground or the associated aeronautical enroute station. Non-aircraft mobile units are further limited to operation on the VHF frequencies listed in 87.263(a)(1) assigned to the associated aeronautical enroute station.

While mobile units would not typically use power output, antenna height, or antenna gain exceeding that of the aeronautical station, they could increase the potential for adjacent channel interference due to their mobility. Therefore, the 10 watt power limitation currently applicable to “aeronautical utility mobile” units would be a reasonable limitation for non-aircraft mobile units used under the aeronautical enroute service rules. ARINC does not believe it is necessary to develop a new mobile classification for these units because they would be authorized by rule, thereby eliminating the need for their classification in the Commission’s database. ARINC suggests that the mobile unit power limitation be included in Rule Section 87.131 note 2 by modification of that note to read as follows:

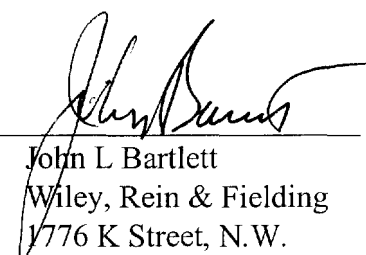
² Power and antenna height are restricted to the minimum necessary to achieve the required service. Associated mobile units other than aircraft stations shall not exceed 10 watts.

It is not necessary to restrict the number of mobile units authorized under an aeronautical station license. Under present rules, users of aeronautical enroute service frequencies are required, except for emergency communications, to have an agreement with the aeronautical station licensee governing the terms of the use of the station. ARINC, as the licensee of the ground station, will control the number of mobile units pursuant to contract. Further, limitations are not required in this regard.

For these reasons, ARINC urges the Commission promptly to amend its rules for the aeronautical enroute service as set forth in the NPRM, with the modifications suggested in these comments.

Respectfully submitted,

AERONAUTICAL RADIO, INC.

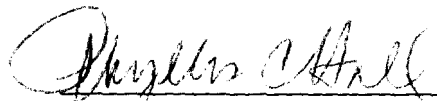
By 
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January 15, 1997

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of January, 1997, I caused copies of the foregoing "Comments of Aeronautical Radio, Inc." to be mailed via first-class postage prepaid mail to the following:

Jerry Markey
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

A handwritten signature in cursive script, reading "Phyllis C. Hall", written over a horizontal line.

Phyllis C. Hall